

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2022, LEGISLATIVE DAY NO. 13
July 5, 2022 6:00 P.M.

A. The meeting was called to order by Chairman Jones at 6:10 P.M. Due to continued COVID-19 concerns, in lieu of in-person appearances in the Council Chambers, the meeting was convened via Webex teleconference. The Chair asked the participants to pause for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 60 persons via teleconference in attendance and the following Councilmembers were present:

TOM QUIRK
IZZY PATOKA
WADE KACH
JULIAN E. JONES
DAVID MARKS
CATHY BEVINS
*TODD CRANDELL

FIRST DISTRICT
SECOND DISTRICT
THIRD DISTRICT
FOURTH DISTRICT
FIFTH DISTRICT
SIXTH DISTRICT
SEVENTH DISTRICT

*Councilman Crandell joined the meeting late.

B. APPROVAL OF JOURNAL

Upon motion by Councilwoman Bevins, seconded by Councilman Quirk, the reading of the Journal Entries for the meeting of June 6, 2022 was waived and accepted by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins
Nay – None
Absent – Crandell

C. ENROLLMENT OF BILLS

The Chairman stated that the following Bills were passed by the County Council and signed by the County Executive. He certified and delivered to the Secretary, Bills 42-22, 43-22, 44-22, 45-22 and 46-22.

D. INTRODUCTION OF BILLS

Bill 48-22, entitled An Act for the purpose of amending the 2022-2023 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from federal funds and made available to the County through the U.S. Department of Housing and Urban Development (HUD).

Bill 49-22, entitled An Act for the purpose of amending the 2022-2023 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from federal funds and made available to the County through the Maryland Department of Housing and Community Development, as a result of the COVID-19 public health catastrophe and public safety emergency.

Bill 50-22, entitled An Act for the purpose of establishing a non-lapsing Opioid Abatement Fund; providing for the purposes of the Fund; providing for the source of financing to the Fund; providing for joint administration of the Fund by the Directors of Health and Human Services and Budget and Finance; requiring the Director of Health and Human Services to provide the County Council with a certain annual report; and generally relating to the establishment of the Fund.

Bill 51-22, entitled An Act for the purpose of providing a process for applying for a certain limited exemption from the development review and approval process; requiring certain notice of an application for a limited exemption and providing for certain requirements of such notice; requiring a decision of the Director of the Department of Permits, Approvals, and Inspections to be posted on the Department's website; providing for an appeal of the decision of the Director; and generally relating to the development review and approval process.

Bill 52-22, entitled An Act for the purpose of prohibiting certain signs outside of the Urban Rural Demarcation Line (URDL); and generally relating to signs.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 41-22, Notification of Development Fee Waiver, was called. James Benjamin testified. Councilman Patoka questioned Rodgers. Councilman Marks then moved to amend this Bill with the following amendments:

1. On page 1, in the Title, in the first line after "AN ACT concerning" and after "Fee Waiver", insert "for Government-Funded Qualifying Projects"; in the Purpose paragraph, in line 1 after "requests", strike "of" and substitute "for", in line 2 after "development fees", insert "providing for the definition of "fee waiver;" providing certain criteria for consideration of a request for fee waiver;" and after "relating to", strike "notifications to the County Council" and substitute "development fees"; in the Function paragraph, strike "adding" and substitute "repealing and re-enacting, with amendments".

2. On page 2, in line 8, after “Fees”, insert “; WAIVER FOR QUALIFYING PROJECTS”; in line 14 after “(C)”, strike lines 14 through 18 and substitute the following:

“FEE WAIVER. FOR THE PURPOSES OF THIS TITLE, “FEE WAIVER” MEANS THE FULL OR PARTIAL RELEASE FROM THE REQUIREMENT OF PAYMENT OF A DEVELOPMENT FEE AND DOES NOT INCLUDE THE CHANGING OF A FEE PURSUANT TO § 3-1-202(C) OF THE CODE.

(D) THE FOLLOWING CRITERIA SHALL APPLY IN CONSIDERING REQUESTS FOR A FEE WAIVER:

(1) WHETHER THE DEVELOPER IS A NON-PROFIT OR FOR-PROFIT ENTITY AND THE DEVELOPMENT PROJECT WILL BE FUNDED WHOLLY OR IN PART BY FEDERAL, STATE, AND/OR LOCAL GOVERNMENT RESOURCES INCLUDING GRANTS, LOANS, OR OTHER ECONOMIC INCENTIVES; AND

(2) (I) WHETHER THE DEVELOPMENT PROJECT WILL BE LOCATED IN AN ECONOMICALLY DISADVANTAGED COMMUNITY, A BLIGHTED AREA, OR AN AREA TARGETED TO BENEFIT FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; OR

(II) WHETHER THE DEVELOPMENT PROJECT WILL POSITIVELY IMPACT THE COMMUNITY’S HEALTH, WELL-BEING, QUALITY OF LIFE, ENVIRONMENT OR OVERALL SUSTAINABILITY.”

In line 19, strike “(D)” and substitute “(E)”; after “FEE WAIVER” strike “UNDER THIS TITLE”

3. On page 3, in line 3, after “(2)”, strike lines 3 through 7 and substitute the following:

“AFTER RECEIVING NOTICE OF A FEE WAIVER REQUEST, THE COUNTY COUNCIL MAY, WITHIN 45 DAYS, SCHEDULE THE FEE WAIVER REQUEST FOR CONSIDERATION AT A LEGISLATIVE MEETING AND PROVIDE NOTICE OF SAME TO THE COUNTY ADMINISTRATIVE OFFICER. IF NO SUCH SCHEDULING OCCURS, THE COUNTY ADMINISTRATIVE OFFICER MAY APPROVE THE FEE WAIVER REQUEST.”

In lines 9 and 10, strike “, having been passed by the affirmative vote of five members of the County Council, shall take effect on July 1, 2022” and substitute “shall take effect 45 days after its enactment”.

Councilman Kach seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell

Nay – None

Councilman Quirk then moved to amend this Bill with the following amendments:

1. On page 2, in line 19, after “RECEIPT OF A”, insert “WRITTEN”
2. On page 3, after line 2, insert the following:

“(2) (I) THE NOTICE SHALL SET FORTH THE AMOUNT OF THE FEE WAIVER REQUEST AND SHALL INCLUDE ALL DOCUMENTATION SUBMITTED IN SUPPORT OF THE REQUEST.

(II) AT THE TIME IT IS FORWARDED TO THE COUNTY COUNCIL, THE NOTICE AND SUPPORTING DOCUMENTATION SHALL ALSO BE POSTED FOR 45 DAYS ON THE COUNTY’S WEBSITE.”

In line 3, strike “(2)” and substitute “(3)”.

Councilman Jones seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

Thereafter, upon motion by Councilman Kach, seconded by Councilman Jones, Bill 41-22, as amended, passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

Bill 47-22, Zoning Regulations – Uses Permitted in the Business, Major (B.M.) Zone, was called. Councilwoman Bevins commented. There being no further discussion, this Bill passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

F. APPROVAL OF FISCAL MATTERS

The Chairman stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council’s work session on June 28, 2022. The witnesses who testified at the work session were available to restate their testimony if needed. If a Councilmember had any questions regarding a particular Fiscal Matter, that item would be discussed as a separate matter. Chairman Jones then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 7.

1. **Contract – Bel Air Auto Auction, Inc. – Auctioneering and simulcasting services – DPWT**

A contract with Bel Air Auto Auction, Inc., to provide auctioneering and simulcasting services for the sale of surplus County-owned vehicles, trucks and off-road equipment.

2. **Amendment to Contract – The Electric Motor Repair Company – Repair/maintenance – kitchen equipment-DOC**

An amendment to the contract with The Electric Motor repair Company, to increase the total compensation amount.

3. **Amendment #2 to Contract – Aramark Correctional Services, LLC – Food services – DOC**

Amendment #2 to the contract with Aramark Correctional Services, LLC, to extend the term of the agreement, to allow time to complete the solicitation process.

4. **Contract – Baltimore County Revenue Authority – Maintenance/inspection services – parking garages-PM**

A contract with Baltimore County revenue Authority, to provide maintenance and inspection services for County-owned parking garages.

5. **Contract – Lion Totalcare, Inc. – Cleaning and repair services – turn-out gear – BCFD**

A contract with Lion Totalcare, Inc., to provide cleaning and repair services to the Baltimore County Fire Department's turn-out gear.

6. **Lease – Morning Star Baptist Church of Baltimore County – Temporary use – Woodlawn Senior Center-AGING**

A lease with Morning Star Baptist Church of Baltimore County, to lease a portion of the Morning Star Baptist Church Community Outreach and Education center for temporary use as the Woodlawn Senior Center.

7. **BAT #22-08 – Baltimore County Public Schools - Baltimore County Public Schools – BCPS**

Budget Appropriation Transfer #22-08 for Baltimore County Public Schools. This transfer will realign funds by category with planned and projected year-end expenses.

Councilman Patoka questioned Chief Rund, Councilmembers Marks and Quirk commented. There being no further discussion, upon motion by Councilman Quirk, seconded by Councilwoman Bevins, Fiscal Matter 1 through 7 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Correspondence - Non-Competitive Awards

At the direction of the Chair, the Secretary read the correspondence from the Office of Budget and Finance listing the non-competitive awards made during May, 2022.

2. Res. 26-22 – Adoption - Eagle Transfer Station Amendment - Solid Waste Management Plan

At the direction of the Chairman, the Secretary read this Resolution to adopt an Eagle Transfer Station Amendment to the Baltimore County Solid Waste Management Plan. D’Andrea Walker testified. Councilmembers Marks and Quirk questioned Mr. Bostwick. There being no further discussion, upon motion by Councilman Jones, seconded by Councilman Kach, this Resolution was deferred by the following roll call vote:

Aye - Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – Quirk

3. Appointment – Baltimore County Ethics Commission – Laurence Ruth

At the direction of the Chairman, the Secretary read this correspondences from County Executive requesting the appointment of Ms. Laurence Ruth to the Baltimore County Ethics Commission for the remainder of a three-year term effective immediately and expiring June 30, 2024. There being no discussion, upon motion by Councilwoman Bevins, seconded by Councilman Kach, this appointment was unanimously approved.

4. Appointment – Baltimore County Ethics Commission – Laura Ray

At the direction of the Chairman, the Secretary read this correspondences from County Executive requesting the appointment of Laura Ray to the Baltimore County Ethics Commission. Ms. Ray is to be reappointed to a three-year term expiring June 30, 2025. There being no discussion, upon motion by Councilman Crandell, seconded by Councilwoman Bevins, this appointment was unanimously approved.

5. **Nominations – (3) – Appointment – Baltimore County Property Tax Assessment Appeal Board**

At the direction of the Chairman, the Secretary read this correspondences from the County Executive, of three candidates so that one fulltime member may be chosen, y the governor for the Baltimore Coty Property Tax Assessment Appeal Board. The candidates are: Mr. I. William Chase, Mr. Raymond Schimier and Ms. Eram Abbasi. There being no discussion, upon motion by Councilwoman Bevins, seconded by Councilman Kach, these nominations were unanimously approved.

6. **Res. 27-22 – Review of PUD – Ridgedale**

This Resolution was for introduction only.

7. **Res. 28-22 – Review of PUD – The Residence at Southland Hills**

This Resolution was for introduction only.

8. **Res. 29-22 – Planning Board – Public Electric Vehicle Charging Stations**

This Resolution was for introduction only.

9. **Res. 30-22 – Approval of grant – Baltimore County Fire Volunteer Stations – American Rescue Plan Act of 2021**

This Resolution was for introduction only.

10. **Res. 31-22 – Department of Libraries – Authorization for expenditure of Non-Local Funds**

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilwoman Bevins, seconded by Councilman Quirk, the meeting was adjourned at 7:04 P.M.


Thomas H. Bostwick
Legislative Counsel/Secretary